

Application No. 10/706,847

REMARKS

Claims 1 through 14 are pending. By this Amendment, no claims are amended, no claims are cancelled, and no new claims are added.

Objection to the Specification

The Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter indicating that the specification did not contain support for translating either the first or second mold cores in a direction generally normal to the first or second, respectively, direction of linear retraction. By this Amendment, applicant has amended the specification at page 4 and at page 8 to more explicitly support this limitation to claims. No new matter has been added as this limitation was described in the claims originally filed. The motion of the mold cores was depicted in the drawings as originally filed and the originally filed specification describes the translation in similar but different terms.

35 U.S.C. § 102

The office action rejected claims 1-3, 5 and 7-9 under 35 U.S.C. § 102(b) as being anticipated by Deutsch (US Patent No. 3,752,436.) Applicant respectfully traverses the rejection. Claim 1 recites the limitation "inserting a second *similar* segmented mold core, having a plurality of segments, including a third segment and a fourth segment." Claim 1 further recites "the third segment being positioned along the greater curvature and the fourth segment being positioned along the lesser curvature." The office action points to Fig. 1 element 14 as showing a second segment being positioned along the lesser curvature. Applicant respectfully submits that element 14 is not positioned on the lesser curvature of the fitting. Element 14, as disclosed in the Deutsch reference, abuts a straight portion of the fitting and a part of the greater curvature of the fitting. Element 14, as described in Deutsch, is a unitary solid structure. If element 14 were to abut the lesser curvature of the fitting it would not be removable from the elbow fitting

Application No. 10/706,847

depicted in Deutsch. The office action further points to element 62 of Deutsch as being "the third mold segment being positioned along the greater curvature." Applicant respectfully points out that element 62 of Deutsch is a cylindrical shaped structure which is straight sided in nature located in a straight portion of the fitting. Element 62 does not contact the greater curvature of the fitting disclosed in Deutsch. Further, as indicated above, claim 1 recites a second *similar* segmented mold core. It is readily apparent in viewing the drawings and disclosure of Deutsch that the first mold core and the second mold core of Deutsch are anything but similar to the first mold core identified as element 14. Element 14 is a single piece structure. The second mold core identified as elements 38 and 46 is a two piece structure. In addition, the shape of element 14 and the shape of elements 38 and 46 separately or combined is dramatically different from that of element 14.

In addition, claim 1 recites "*linearly* retracting the first segment of the mold core from the mold cavity in a first direction substantially *parallel to the straight portion*; translating the first mold core in a direction generally normal to the first direction of linear retraction." The office action points to column 4, lines 3 through 25 and column 3, lines 67 and 68, columns 4, lines 1 through 25 and column 3, lines 61 through 63 as disclosing these limitations. Column 3 at line 67 recites "the operator thereafter grasps the handle 72 of the hinge block 24 and *pivots* the hinge block 24 about the shaft 30." Applicant respectfully submits that disclosed pivotal motion is distinct from and clearly excludes pivoting or rotational motion. Column 4 of Deutsch at line 4 indicates "the second and third molding cores 38, 46 and the article 12 are simultaneously *pivoted* about the shaft 30 for moving said mold cores 38, 26 and article 12." Again, Deutsch discusses only pivotal motion, not linear translational motion as recited in the claims of the present application. As applicant has previously pointed out in the Amendment dated January 5, 2006, translation is defined "in mechanics, motion in which every point of the moving object has simultaneously the same velocity and direction of motion: distinguished from rotation."

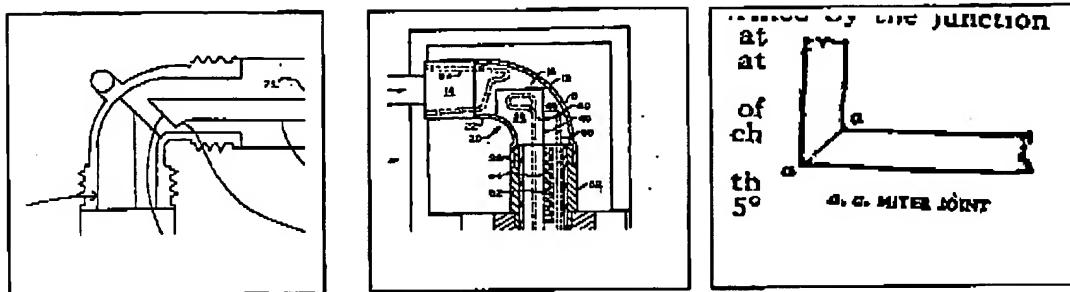
Application No. 10/706,847

Websters New Universal, Unabridged Dictionary, 1939 (2<sup>nd</sup> Edition 1979). The rotational motion disclosed in Deutsch is simply not the same as the "linearly retracting . . . in a first direction substantially parallel to the straight portion" as recited in claim 1.

With regard to claim 5, the office action indicates that Deutsch discloses translating the mold core in a direction generally normal to the direction of linear retraction and linearly retracting the second segment from the mold core, again, citing to column 3, line 67 through 68 and column 4, lines 1 through 25. Applicant respectfully traverses the rejection. As discussed above, this portion of the Deutsch reference discusses only pivotal motion which is not the same as translational motion as recited in claim 5. Therefore, the office action has not made out a *prima facie* case of anticipation with regard to claim 1 or claim 5. Claims 2-4 depend from claim 1 and should be patentable for at least the same reasons as claim 1. Claim 6 depends from claim 5 and should be patentable for at least the same reasons as claim 5. Applicant respectfully requests that the Examiner withdraw the rejection.

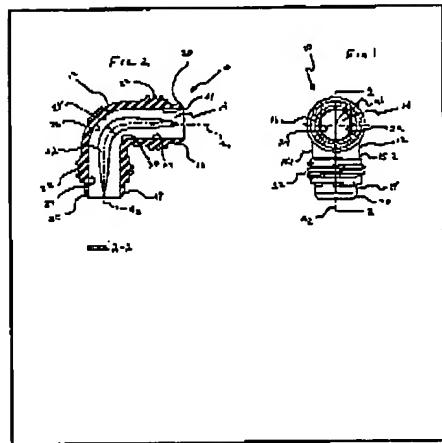
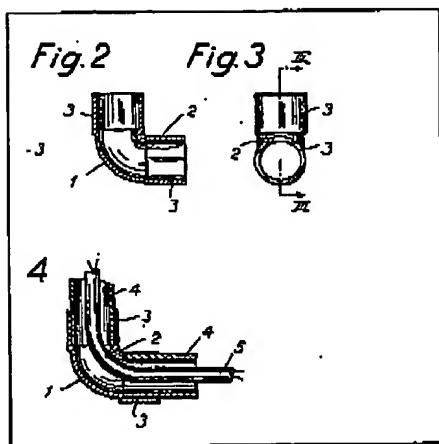
Regarding claim 7, the office action indicates that Deutsch shows "a mold core comprising two segments, each segment having a bend portion and a straight portion, the two segments forming together a miter at an end thereof." A miter is defined as "a kind of joint formed by fitting together two pieces, each of which has been beveled to a specified angle (usually 45 degrees) so that they form a corner. Also to either of the facing surfaces of such a joint." Webster's New Universal Unabridged Dictionary, 1152 (2<sup>nd</sup> Edition 1979).

Application No. 10/706,847



As can be seen above at left, in an excerpt from Fig. 8 of the present application and, at right, as depicted by Webster's, a miter is formed by the facing surfaces of the two segments. Referring to the center drawing, from Deutsch, no miter joint is shown. The structures depicted in Deutsch do not show a miter or miter joint as recited in claim 7. The structures in Deutsch meet in a complex fashion that clearly does not define the straight interface of a miter joint as described in the present application and particularly in claim 7. Therefore, Deutsch does not disclose all the elements recited in claim 7 and cannot make out a *prima facie* case of anticipation. Claims 8-10 depend from claim 7 and should be patentable for at least the same reasons as claim 7. Applicant respectfully requests that the Examiner withdraw the rejection.

Application No. 10/706,847



The office action rejected claims 11, 12 and 14 as being anticipated by Christensen et al. (US Patent No. 3,095,613). As in the prior office action, the office action indicates that Christensen shows flat drafts defined in a wall surrounding the lumen of a fitting and cites to Figs. 1 through 4 and column 2 at line 67 through 72. As discussed in the amendment filed January 5, 2006, column 2 at line 67 through 72 recites "the parts of the mold, cores and the core parts may be constructed in any suitable way other than the shown, just as the mold according to the invention may be used for similar articles other than those shown and described e.g. for T-tubes or other tube assemblies or branchings of any suitable plastic material." To make a prima facie case of anticipation, the Examiner must demonstrate that the prior art contains every element of the claim. Applicants respectfully point out that this sentence of Christensen and the cited drawings do not show any teaching or suggestion of flat drafts including flattened portions of the interior walls of the fitting as depicted above right in the present invention. Flat drafts can be seen in the drawings of the present invention identified by reference numerals 32 and 34. The drawings of Christensen, as seen above left, show no flat interior structures on the interior walls on the fittings at all. Therefore, claim 11 cannot be anticipated or rendered obvious by

Application No. 10/706,847

Christensen. Claims 12 through 14 depend from claim 11 and should be patentable for at least the same reasons as indicated above for claim 11.

The remaining claims in the application not specifically discussed above are claims dependent from one of the above discussed independent claims which are patentable for at least the same reasons as discussed for their respective independent claims. Applicant respectfully requests that the Examiner withdraw the rejection.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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